

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In Re: Tanya Shaw

Chapter 13
Case No. 13-41318-MAR
Judge: Mark A. Randon

**MOTION FOR RECONSIDERATION AND TO REOPEN CHAPTER 13
BANKRUPTCY CASE TO FILE DOMESTIC SUPPORT OBLIGATIONS
CERTIFICATES AND WAIVE FILING FEE**

NOW COMES Debtor Tanya Shaw, by and through her counsel, and states as follows:

1. Debtor filed for Chapter 13 Bankruptcy protection on January 24, 2013.
2. Debtor's case was dismissed and closed without discharge on or about November 7, 2016. Debtor's case was dismissed for failure to file Certification regarding Domestic Support Obligations as required before a Discharge is issued. (**Exhibit B – Order of Dismissal**).
3. Debtor Tanya Shaw has completed her certification regarding Domestic Support Obligations. (**Exhibit C**).
4. Debtor Tanya Shaw inadvertently failed to file her certification regarding Domestic Support Obligations prior to the closure of her case.
5. Debtor's certificate was not filed with the Court due to an inadvertent mistake.
6. Debtor prays that, in the interest of justice, this Honorable Court not prejudice Debtor due to the excusable error by charging her a filing fee to bring this Motion.

WHEREFORE, Debtor respectfully prays that this Court reopen her Chapter 13 Bankruptcy case and waive the filing fee for said Motion based upon the interest of justice.

Respectfully submitted,

GALLAGHER SHARP, LLP

Dated: December 9, 2016

By: /s/ ERIK C. STEIN
Erik C. Stein (P72172)
Attorney for Debtors
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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In Re: Tanya Shaw

Chapter 13
Case No. 13-41318-MAR
Judge: Mark A. Randon

**ORDER REOPENING CHAPTER 13 BANKRUPTCY
CASE AND WAIVING FILING FEE**

The above-referenced case having been closed without the entry of a discharge due to the failure to file her Debtor's Certificate of Domestic Support Obligations, and the Debtors having moved to reopen the case for an extension of time to file her Debtor's Certificate of Domestic Support Obligations so a discharge may be entered, and the Court, having reviewing and considered the Motion finds cause to reopen the case and to extend the time for the Debtor to file her Debtor's Certificate of Domestic Support Obligations.

Accordingly, **IT IS HEREBY ORDERED:**

1. That the above-referenced case be reopened and the deadline for the Debtor to file her Debtor's Certificate of Domestic Support Obligations is extended thirty (30) days from the date of the entry of this Order.
2. That the filing fee for Debtor's Motion to reopen this case is waived in the interest of justice.

UNITED STATES BANKRUPTCY COURT
Eastern District of Michigan
211 West Fort Street
Detroit, MI 48226

Case No.: 13-41318-mar
Chapter: 13

In Re: (NAME OF DEBTOR(S))

Tanya Shaw
aka Tanya Zajac
9992 Seminole
Redford, MI 48239

Social Security No.:
xxx-xx-1026

Employer's Tax I.D. No.:

NOTICE OF CHAPTER 13 CASE CLOSED WITHOUT DISCHARGE

All creditors and parties in interest are notified that the above-captioned case has been closed without entry of discharge as Debtor(s) failed to comply with the Local Form Certification Regarding Domestic Support Obligations.

Dated: 11/7/16

BY THE COURT

Katherine B. Gullo , Clerk of Court
U.S. Bankruptcy Court

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN**

In re:

Tanya Shaw

Debtor(s)

Chapter 13
Case No. 13-41318-MAR
Judge: **Mark Randon**

Certification Regarding Domestic Support Obligations

(To be filed *separately* by each debtor after completion of all payments under the plan
in cases filed on or after October 17, 2005)

The Chapter 13 debtor, being first duly sworn, states the following:

SECTION I - TO BE COMPLETED BY EACH DEBTOR

Disclosure of Domestic Support Obligations

During the chapter 13 case, was the debtor required by a judicial or administrative order, or by statute, to pay a domestic support obligation as defined in 11 U.S.C. §101(14A)?

Check one: Yes ☐ No ☒

If yes: Complete Sections II and III below

If no: Complete Section III below

**SECTION II - TO BE COMPLETED BY A DEBTOR WHO WAS REQUIRED TO PAY A
DOMESTIC SUPPORT OBLIGATION DURING THE CHAPTER 13 CASE**

1. Has the debtor paid all amounts due under the domestic support obligation, including amounts due before the petition was filed to the extent provided for in the plan?

Check one: Yes ☐ No ☐

2. List the name and address of each spouse, former spouse or child to or for whom alimony, maintenance or support is paid or required to be paid (if more space is needed, please attach a separate sheet):

Name _____
Address _____
City, State and Zip _____
Account Number _____

3. Has any debt been determined to be non-dischargeable or is any action currently pending to determine a debt to be non-dischargeable pursuant to:? (check one):

Section	Yes	No
11 U.S.C. Section 523(a)(2)		
11 U.S.C. Section 523(a)(4)		

If you answered "yes" to any of the above, please identify the creditor and the legal basis for the action

Name of Creditor: _____
Address of Creditor: _____
City, State and ZIP: _____

☐ 11 USC § 523(a)(2)
☐ 11 USC § 523(a)(4)

If more space is needed, please attach a separate sheet.

4. Has any debt been reaffirmed pursuant to 11 U.S.C. Section 524(c)?

Check one: Yes ☐ No ☐

If yes, please state:

Name of Creditor: _____
Address of Creditor: _____
City, State and ZIP: _____

If more space is needed, please attach a separate sheet.

5. Debtor's Current Address: _____

Name of Debtor's
Current Employer: _____

Debtor's Current
Employer's Address: _____

SECTION III - TO BE COMPLETED BY EACH DEBTOR

CERTIFICATION

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

/s/ Tanya Shaw _____
Tanya Shaw
Debtor's Signature

November 15, 2016 _____
Date

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In Re: Tanya Shaw

Chapter 13
Case No. 13-41318-MAR
Judge: Mark A. Randon

CERTIFICATE OF SERVICE

I, Kimberly Werner, hereby certify that on December 9, 2016, I served a copy of Motion to Reopen Chapter 13 Bankruptcy Case to File Debtor's Certificates of Domestic Support Obligation and Waive Filing Fee via electronic mail addressed to:

Krispen S. Carroll – Chapter 13 Trustee

Dated: December 9, 2016

/s/ KIMBERLY WERNER